



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,171	12/12/2001	David Grabelsky	01-1719	1393

7590

11/16/2005

McDonnell Boehnen Hulbert & Berghoff
32nd Floor
300 S. Wacker Drive
Chicago, IL 60606

EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,171

Applicant(s)

GRABELSKY ET AL.

Examiner

Mohammad A. Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 16-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 16-35 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/13/05, 2/5/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-15 presented for examination. Claims 16-35 have been withdrawn.

Election/Restrictions

2. Applicant's election without traverse of Group I (claims 1-15) in the reply filed on 08/24/2005 is acknowledged.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amin et al. (6,910,074) (hereinafter Amin) in view of McDowell et al. (6,668,167) (hereinafter McDowell).

5. As per claim 1, Amin discloses a method for providing instant services in an Internet Protocol network (IP centric distributed network, col 1, lines 47-67), the method comprising:

provisioning a first communication session (col 7, lines 23-59) between a first user terminal and a predetermined network device (in telecommunications terms, provisioning means to provide telecommunications services to a user, col 1, lines 46-67; col 8, lines 58-60; col 21, lines 55-60);

provisioning a second communication session (col 7, lines 23-59) between a second user terminal and the predetermined network device (in telecommunications terms, provisioning means to provide telecommunications services to a user, col 1, lines 46-67; col 8, lines 58-60; col 21, lines 55-60);

receiving an activation request to establish an active communication session between the first user terminal and the second user terminal (col 20, lines 48-67; col 21, lines 1-60);

Amin does not explicitly point out predetermined network device, bridging the first communication session to the second communication session on the predetermined network device. However, McDowell teaches predetermined network device, bridging the first communication session to the second communication session on the predetermined network device (elements of

fig 1 and 2, col 5, lines 23-39). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Amin and McDowell. The motivation would have been to develop a distributed IP centric system that can provide paging Short Message Service, Instant Messaging Service, paging and voice managing services.

6. As per claim 2, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses a computer readable medium having stored therein instructions to execute the method of claim 1 (fig 2, col 12, lines 21-41).

7. As per claim 3, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses the first communication session comprises a first real-time transport protocol session, and the second communication session comprises a second real-time transport protocol session (RTP port, col 20, lines 54-62, col 21; lines 3-37).

8. As per claim 4, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses prior to provisioning the first communication session, further comprising:

receiving a first registration request from a user associated with the first user terminal (col 17; lines 29-35; 55-63);

authenticating the first user in accordance with a first user account for the user associated with the first user terminal (col 17; lines 29-35; 55-63);

receiving a first subscription request from the user associated with the first user account, wherein the first subscription request comprises a request to subscribe to a first service (col 17; lines 29-35; 55-63).

9. As per claim 5, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses the first service comprises a multimedia service (col 2; lines 57-67; col 2 lines 1-3; col 7, lines 57-59).

10. As per claim 6, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses the multimedia service comprises an instant voice messaging service (col 2; lines 57-67; col 2 lines 1-3; col 7, lines 57-59).

11. As per claim 7, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses

receiving a first registration request from a user associated with the second user terminal (col 17; lines 29-35; 55-63; col 7, lines 57-59, multimedia conference anticipates registration of second user terminal);

authenticating the user in accordance with a first user account for the user associated with the second user terminal (col 17; lines 29-35; 55-63; col 7, lines 57-59);

receiving a first subscription request from the user associated with the second user terminal, wherein the first subscription request comprises a request to subscribe to the first service using a first subscriber identification (col 17; lines 29-35; 55-63; col 7, lines 57-59).

12. As per claim 8, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses receiving a second subscription request from the user associated with the second user terminal, wherein the second subscription request comprises a request to subscribe to the first service using a second subscriber identification (since Session Initiation Protocol used for setting up communications sessions on the Internet, such as telephony, presence, events notification and instant messaging, the NGN architecture must do authentication second subscriber, col 7; lines 35-59; col 8, lines 61-67; col 9, lines 1-9);

provisioning a third communication session between the second user terminal and the predetermined network device (since Session Initiation Protocol used for setting up communications sessions on the Internet, such as telephony, presence, events notification and instant messaging, the NGN architecture must do authentication second subscriber, col 7; lines 35-59; col 8, lines 61-67; col 9, lines 1-9; col 1, lines 46-67; col 8, lines 58-60; col 21, lines 55-60).

13. As per claim 9, the claim is rejected for the same reasons as claim 1, above. In addition, McDowell discloses of claim 1, further comprising:

providing a first list of subscribers to the first user terminal, the first list of subscribers including subscriber identifications associated with active subscribers authorized to communicate with the user associated with the first user terminal (elements of fig 2, col 4, lines 44-50; col 5, lines 40-54); and

providing a second list of subscribers to the second user terminal, the second list of subscribers including subscriber identifications associated with active subscribers authorized to communicate with the user associated with the second user terminal (elements of fig 2, col 4, lines 44-50; col 5, lines 40-54).

14. As per claim 10, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses the first user terminal comprises a signaling agent, and the step of receiving the request to establish an active communication session between the first user terminal and the second user terminal comprises:

receiving a user input to establish the active communication session to the second user terminal (col 17; lines 29-35; 55-63);

sending the request to establish the active communication session between the first user terminal and the second user terminal from the signaling agent to the predetermined network device (col 17; lines 29-35; 55-63; col 7, lines 57-59).

15. As per claim 11, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses the signaling agent comprises a Session Initiation Protocol (SIP) agent (since Session Initiation Protocol used for setting up communications sessions on the Internet, such as telephony, presence, events notification and instant messaging, the NGN architecture must do authentication second subscriber, col 7; lines 35-59; col 8, lines 61-67; col 9, lines 1-9).

16. As per claim 12, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses the first user terminal is associated with a virtual signaling agent, and the step of receiving the request to establish an active communication session between the first user terminal and the second user terminal comprises:

receiving on the first user terminal a user input to establish the active communication session to the second user terminal (col 1, lines 46-67; col 8, lines 58-60; col 21, lines 55-60);

sending to the virtual signaling agent a request to establish the active communication session (col 20, lines 48-67; col 21, lines 1-60);

sending from the virtual signaling agent to the predetermined network device the request to establish the active communication session between the first user terminal and the second user terminal (col 20, lines 48-67; col 21, lines 1-60).

17. As per claim 13, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses

receiving a request to terminate the active communication session between the first user terminal and the second user terminal (col 20, lines 1-26); and

un-bridging the first communication session from the second communication session on the predetermined network device (releasing, col 20, lines 1 -26).

18. As per claim 14, the claim is rejected for the same reasons as claim 1, above. In addition, Amin discloses the step of provisioning the first communication session and the second communication session comprises setting up the first and second communication sessions between the first and second user terminals and the predetermined network device prior to receiving the receiving the activation request (col 1, lines 46-67; col 8, lines 58-60; col 21, lines 55-60).

19. As per claim 15, the claim is rejected for the same reasons as claim 1, above. In addition, McDowell discloses the first user terminal is associated with a first predetermined device and the second user terminal is associated with a second predetermined device (36 30, 38,32, fig 2).

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Publication 2003/0073440

U.S. Publication 2003/0108000

U.S. Patent 6,614,781

U.S. Patent 6,259,691

U.S. Patent 6,625,141

U.S. Patent 6,175,873


U.S. Patent 6,714,987

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS

 JOHN FOLLANSBEE
SUPERVISOR
PATENT EXAMINER
TECHNOLOGY CENTER 2100